



See 8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

PETER MICHAEL MURPHY, ET AL.

CASE NO.: CH2751 US NA

APPLICATION NO.: 09/669,477

GROUP ART UNIT: 1771

FILED: 09/25/2000

EXAMINER:

FOR: LIQUID IMPERMEABLE BARRIER

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION-FILING DATE GRANTED**



Assistant Commissioner for Patents
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed November 6, 2000 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account. Also, please note that authorization (copy of Fee Transmittal enclosed) was given on September 25, 2000 to charge the said Deposit Account for the additional claims fee of \$260. A fax concerning this payment was sent to Janice Burse (who confirmed payment of said fee) on 12/1/2000.

Respectfully submitted,

NANCY S. MAYER
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 29,190
TELEPHONE: 302-892-0680
FACSIMILE: 302-892-0699

Dated: 03 January 2001

Please type a plus sign (+) inside this box →

<p>UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i></p>	Attorney Docket No.	CH2751
	First Named Inventor or Application Identifier	
	PETER MICHAEL MURPHY et al.	
	Express Mail Label No.	EK2194702253US
Express Mailing Date		

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<p>1. <input checked="" type="checkbox"/> Fee (Authority to charge deposit account below.) <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 23] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications (if needed) Statement Regarding Fed sponsored R & D (if needed) Reference to Microfiche Appendix (if filed) - Background of the Invention - Brief Summary of the Invention Brief Description of the Drawings (if filed) - Detailed Description Claim(s) - Abstract of the Disclosure</p> <p>3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 0]</p> <p>4. <input type="checkbox"/> Oath or Declaration [Total Pages 0] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 14 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTORS Signed Statement below at 15 deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation by Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No.: / </p> <p>15. <input type="checkbox"/> DELETION OF INVENTOR(S) STATEMENT: This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2) and 1.33(b), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:</p> <p>16. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: - This is a <input type="checkbox"/> continuation-in-part, <input type="checkbox"/> continuation, <input type="checkbox"/> division of Application No. filed , now abandoned. -</p> <p>17. <input type="checkbox"/> Cancel in this application original claims of the prior application before calculating the filing. (At least one original independent claim must be retained for filing purposes.)</p> <p>18. <input type="checkbox"/> Priority of foreign Application No. filed on in is claimed under 35 U.S.C. 119. (country)</p>		
ACCOMPANYING APPLICATION PARTS		
<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p>8. <input type="checkbox"/> Power of Attorney</p> <p>9. <input type="checkbox"/> Information Disclosure Statement (IDS)/Cover Letter plus PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>10. <input type="checkbox"/> Preliminary Amendment</p> <p>11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>12. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>13. <input type="checkbox"/> Other: EK2194702253US</p>		

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	23 - 20 =	3	x \$ 18 =	\$ 54.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	4 - 3 =	1	x \$ 78 =	\$ 78.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 260 =	260.00
				BASIC FEE (37 CFR 1.16(a))	+ \$ 690.00
				TOTAL =	\$ 1082.00

19. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1928:

a. Fees required under 37 CFR 1.16.

b. Fees required under 37 CFR 1.17.

20. Other:

21. CORRESPONDENCE ADDRESS

NAME	Nancy S. Mayer			
ADDRESS	E. I. du Pont de Nemours and Company Legal - Patents 1007 Market Street			
CITY	Wilmington			
COUNTRY	U.S.A.	STATE	Delaware	ZIP CODE
		TELEPHONE	302-892-0680	FAX
				302-892-0699

22. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Nancy S. Mayer	REG. NO.: 29,190
SIGNATURE	<i>Nancy S. Mayer</i>	
DATE	9-27-00	



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known	
Application Number	09/669,477
Filing Date	09/25/2000
First Named Inventor	Peter Michael Murphy
Examiner Name	
Group / Art Unit	1771
Attorney Docket No.	CH2751 US NA

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 04-1928

Deposit Account Name E. I. du Pont de Nemours and Company

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims		-20**	=	0	Extra Claims	Fee from below	Fee Paid
Independent Claims		-3**	=	0			
Multiple Dependent							

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

* Multiple claim chge.
was authorized SUBTOTAL (2) (\$ 0)

when appln. filed 9/27/2000

See attached.

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive – unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$ 130)					

SUBMITTED BY

Name (Print/Type)	Nancy S. Mayer	Registration No. Attorney/Agent)	29,190	Telephone	302/892-0680	
Signature					Date	November 2000

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

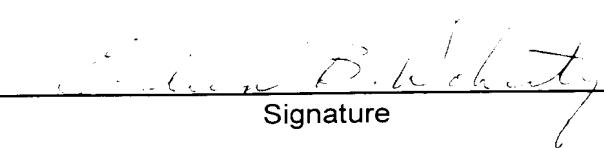
Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Box Missing Parts

on January 3, 2001

Date




Signature

EILEEN B. DOHERTY

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/669,477
CH2751 US NA
Declaration for Utility or Design Patent Application
Power of Attorney
Notice to File Missing Parts
Response to Notice to File Missing Parts





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/669,477	09/25/2000	Peter Michael Murphy	CH2751

Nancy S Mayer
 E I du Pont de Nemours and Company
 Legal Patents
 1007 Market Street
 Wilmington, DE 19898



FORMALITIES LETTER



Date Mailed: 11/06/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$260.
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 390.**

A copy of this notice MUST be returned with the reply.

F. Rodriguez
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY